

HON. MARSHA J. PECHMAN

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HEATHER HALEY, as an individual and as a
representative of the classes,

Plaintiff,

v.

TALENTWISE, INC. f/k/a TALENTWISE
SOLUTIONS, LLC f/k/a INTELIIUS
SCREENING SOLUTIONS, LLC,

Defendant.

NO. 13-cv-01915-MJP

ORDER PRELIMINARILY APPROVING
SETTLEMENT

Based on the parties' Unopposed Motion for Preliminary Approval of the Proposed
Settlement and good cause shown therein, IT IS HEREBY ORDERED:

1. Preliminary Approval Of Proposed Settlement. The Agreement, including all
exhibits thereto, is preliminarily approved as fair, reasonable and adequate and within the range
of reasonableness for preliminary settlement approval. The Court finds that: (a) the Agreement
resulted from extensive arm's length negotiations; and (b) the Agreement is sufficient to warrant
notice of the Settlement to persons in the Settlement Class and a full hearing on the approval of
the Settlement;

2. Class Certification For Settlement Purposes Only. Pursuant to Federal Rule of Civil Procedure 23(c), the Court conditionally certifies, for settlement purposes only, the following Settlement Classes:

Obsolete Information Settlement Class

All Persons located within the United States who, at any time from October 24, 2011 to the date of the preliminary approval were the subject of a TalentWise employment screening report that included a record of non-conviction that predated the date of the report by more than seven years.

Alleged Duplicate Reporting Settlement Class

All Persons located within the United States who, at any time from October 24, 2011 to the date of preliminary approval were the subject of a TalentWise employment screening report that included a report of a criminal record and a department of motor vehicle record that reported a criminal record within three days before or after a department of motor vehicle record.

In connection with this conditional certification, the Court makes the following preliminary findings for settlement purposes only:

A. The Settlement Classes appear to be so numerous that joinder of all members is impracticable;

B. There appear to be questions of law or fact common to the Settlement Classes for purposes of determining whether this Settlement should be approved;

C. Plaintiff's claims appear to be typical of the claims being resolved through the proposed settlement;

D. Plaintiff appears to be capable of fairly and adequately protecting the interests of the Settlement Class Members in connection with the proposed settlement;

E. Common questions of law and fact appear to predominate over questions affecting only individual persons in the Settlement Classes. Accordingly, the Settlement Classes appear to be sufficiently cohesive to warrant settlement by representation; and

1 F. Certification of the Settlement Classes appears to be superior to other
2 available methods for the fair and efficient resolution of the claims of the Settlement Classes.

3 3. Class Counsel. Nichols Kaster, PLLP is hereby APPOINTED as Class Counsel;

4 4. Class Representative. Plaintiff Heather Haley is hereby APPOINTED Class
5 Representative;

6 5. Class Notice. The parties' Class Notice is APPROVED for distribution in
7 accordance with the schedule included in the Settlement Agreement;

8 6. Opt-Outs and Objections. Class Members shall have the right to either opt-out or
9 object to this settlement pursuant to the procedures and schedule included in the Settlement
10 Agreement; and

11 7. Final Approval Hearing. A Final Approval Hearing is set for June 5, 2015 at
12 9:00am, in Courtroom 14206.

13 IT IS SO ORDERED.

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15 DATED this 17th day of January, 2015.

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18 Marsha J. Pechman
19 Chief United States District Judge
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1 APPROVED AS TO FORM:

2 CALFO HARRIGAN LEYH & EAKES LLP NICHOLS KASTER, PLLP

3 /s/Tyler L. Farmer

/s/Daniel C. Bryden

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